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June 6, 2014

Regional Freedom of Information Officer
US Environmental Protection Agency, Region 6
1445 Ross Avenue
Dallas, TX 75202-2733

Re: Freedom of Information Act Request – Clear Harbors El Dorado, AK

Dear Officer:

Pursuant to the Freedom of Information Act, 5 U.S.C. §§ 552 *et seq.*, and regulations thereunder, I hereby request the following documents be made available for inspection and copying:

Any and all non-privileged documents of any kind, including, but not limited to, notices of violation, correspondence (both emails and letters), draft reports, approved reports, draft agreements, executed agreements, and proposals prepared by the United States Environmental Protection Agency (“USEPA”), the Arkansas Department of Environmental Quality (“ADEQ”) or Clean Harbors El Dorado, L.L.C., and any of its successors-in-interest or predecessors-in-interest (collectively “Clean Harbors”), regarding the Clean Harbors El Dorado site (consisting of more than 300 acres located at 309 American Circle in El Dorado, Union County, Arkansas, as well as the structures, other appurtenances, and improvements on the property) (the “Facility”) or the allegations contained in the Consent Agreement and Final Order between USEPA and Clean Harbors, effective as of April 25, 2014 (the “CAFO”).

This request includes, but is not limited to, the following categories of documents:

- Documents and findings made by USEPA or ADEQ pertaining to the alleged violations by Clean Harbors at the Facility between 2003 and the present date, including those documents prepared in relation to the CAFO and/or the RCRA compliance inspections of the Facility in May and June of 2009 and November of 2011.

- Documents exchanged between 2003 and the present date between Clean Harbors, USEPA, ADEQ, and/or any other relevant entities regarding the alleged violations at the Facility.
- Documents exchanged between Clean Harbors, USEPA, and/or ADEQ during regular meetings and conference calls concerning the Facility;
- Documents provided by Clean Harbors to USEPA or ADEQ regarding the alleged violations at the Facility, including Clean Harbors' alleged failure to make a hazardous waste determination, Clean Harbors' allegedly unpermitted hazardous waste storage and treatment in the Brine Unit, Clean Harbors' alleged failure to comply with land disposal restrictions, and Clean Harbors' alleged failure to comply with air emissions standards;
- Documents prepared by USEPA or ADEQ and Clean Harbors, or documents exchanged between USEPA or ADEQ and Clean Harbors, concerning the environmental effects of Clean Harbors' alleged violations;
- Documents and information relating to USEPA's Findings of Fact and Conclusions of Law contained in the CAFO; and
- Documents and information related to USEPA's or ADEQ's assessment of the gravity of the alleged violations in the CAFO and Clean Harbors' efforts to comply with the applicable regulations.

This firm agrees to pay any reasonable fees and costs incurred for locating documents for review, in addition to any subsequent costs for duplication. However, before copying the requested documents, please let me know if the documents can be made available for inspection and kindly provide me with an estimate as to the volume of the documents to be copied.

We are making this request in connection with a regulatory proceeding that lasts a total of twenty-five calendar days. We therefore respectfully request that this FOIA request be placed on an **Expedited Track**.

If you have any questions regarding this request, please do not hesitate to contact me at (212) 906-1805.

Sincerely,



Damon Gaynair
of LATHAM & WATKINS LLP